



Board of Adjustment
PO Box 120
Town of Fremont, New Hampshire 03044

Members present: Chairman Richard Butler, Co-chairman Jack Baker, Brett Hunter, alternate Scott Boisvert; Secretary Meredith Bolduc.

Mr. Butler called the meeting to order at 7:30 p.m. then called the roll.

Mr. Baker made the motion to allow Mr. Boisvert to vote on any issue to come before the Board tonight.

Motion seconded by Mr. Hunter with unanimous favorable vote.

It was agreed to go directly to the scheduled Public Hearing and take care of any Board business when the Hearing was finished.

Case # 05-007
Allen & Sharon DeMarco
MAP 6 LOT 023-008

Present: Owners Allen & Sharon Demarco

Mr. Butler opened this Public Hearing at 7:30 p.m.

Mr. Butler explained that there is not a full Board present and gave the applicant the option of waiting until there is a full board for any decisions. The applicant opted to go forward with the members present.

Mr. Butler explained the purpose of the Board and the procedure for a Variance and read the five conditions which a majority of the Board must be in agreement with in order for the Board to grant a Variance. He read the Public Notice of the Hearing which read as follows:

In accordance with NH RSA 675: 7, you are hereby notified that the Fremont Zoning Board of Adjustment will hold a Public Hearing at 7:30 pm on August 2, 2005 at the Fremont Town Hall for Sharon and Allen Demarco, Map 6 Lot 023-8, Fremont NH.

The applicant is seeking a Variance from Article IX Section F-4 to allow the construction of a twenty four by thirty foot (24' x 30') single story garage within one hundred (100') feet of the Wetland/Watershed Protection Area.

You are invited to appear in person or by counsel and state reasons why the appeal should or should not be granted. Written comments will be accepted up until the date of the hearing.

It was noted that this hearing was noticed on July 15, 2005 at the Fremont Post Office and Fremont Town Hall and in the July 22, 2005 edition of the Rockingham News. The applicant and all abutters were notified via certified mail on July 15, 2005 and all returns have been received. The application package included: 6 copies of the drawn plan, proper check amount, current list of abutters, a July 14, 2005 letter from the Building Inspector Thom Roy instructing the applicants to cease activities due to the presence of wetlands within 100' of the construction. The application was found to be complete.

Mr. Butler read the Building Inspectors letter which stated that a building permit was issued on June 23, 2005, but upon inspection wetlands were found to be present within 100 feet of the proposed building and as such the Building Permit is not in compliance with Fremont Zoning Ordinance Article IC Section F-4.

Comment sheets were received from the following:

1. Fire Chief: "no comment"
2. Health Officer "no comment"
3. Code Enforcement Officer/Building Inspector: "no objections to proposed placement location"
4. Conservation Commission: "Please schedule time to come before the Conservation Commission to review plan. Conservation Commission would also like a site visit".

The plan showing the location of the wetland was reviewed. It was noted that the existing house is 102' from the wetlands and the proposed garage will be approximately 30' to the wetlands so the Variance request is for 70'.

It was the consensus of the Board to conduct a site visit on August 7, 2005 at 10 a.m. and invite the Conservation Commission to join them. The applicants agreed.

It was agreed that the five conditions for a Variance will be addressed at the next portion of this Public Hearing.

Mr. Hunter made the motion to continue this Public Hearing to the site visit at 39 Rum Hollow on August 7, 2005 at 10 a.m. and also continue this Public Hearing to 8:15 on August 23, 2005 at the Fremont Town Hall.

Motion seconded by Mr. Baker with unanimous favorable vote.

MINUTES

Mr. Baker made the motion to accept the July 19, 2005 meeting minutes as written.
Motion seconded by Mr. Hunter with unanimous favorable vote.

Mr. Butler made the motion to adjourn at 8:40 p.m.
Motion seconded by Mr. Baker with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, Clerk

cc: SO, TC, PB, CC, RA, BI, HO, PD, FD